

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

In re:	§	
	§	Chapter 7
	§	
ASTRALABS, INC.	§	Case No. 23-10164-SMR
Debtor	§	
	§	

**LIMITED OBJECTION TO APPLICATION TO EMPLOY REID, COLLINS & TSAI,
LLP AS SPECIAL LITIGATION COUNSEL**

COME NOW Thomas Dolezal, Matthew Kelly, Hasan Ugur Koyluoglu and Casey Melcher and file this Limited Objection to Application to Employ Reid, Collins & Tsai, LLP as Special Counsel and would show as follows:

1. The Trustee has filed an application to employ Reid, Collins & Tsai, LLP to pursue claims against the Debtor's directors and officers. The proposed application provides for a contingent fee of 45% as well as reimbursement of expenses and 9% interest on costs advanced.
2. Objecting Parties do not dispute the qualifications of the firm to serve as Special Counsel. However, they believe that a 45% contingency fee is above market. In the experience of Objectors' Counsel, a fee of 33% or 40% in the event of an appeal is market. In the case of a large potential recovery or a case where liability is clear and there is insurance coverage, parties may negotiate a rate below 33%. Once a contingency fee is approved, it cannot be re-examined except

under circumstances which could not be anticipated. Therefore, Objecting Parties request that the Court condition approval of the application upon a market rate.

Respectfully submitted,

BARRON & NEWBURGER PC
7320 N. MoPac Expressway, Ste. 400
Austin, Texas 78731
Telephone: (512) 649-3243

By /s/ Stephen Sather
Stephen Sather
State Bar No 17657520
ATTORNEY FOR OBJECTING PARTIES

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served by electronic mail transmission or first class mail to the following parties by on July 21, 2023:

Jeremy H. Wells
Reid, Collins & Tsai, LLP
1301 S. Capital of Texas Hwy.,
Building C, Suite 300
Austin, TX 78746
By First Class MAil

Cleveland R Burke
Holland & Knight
100 Congress Avenue
Ste 1800
Austin, TX 78701
cleveland.burke@hklaw.com
representing Capitol Vending and Coffee Company

Lisa C. Fancher
Fritz Byrne, PLLC
221 W 6th St
Ste 960
Austin, TX 78701
lfancher@fritzbyrne.law
representing 3423 Holdings

Shanna M Kaminski
Kaminski Law, PLLC
P.O. Box 247
Grass Lake, MI 49240
skaminski@kaminskilawpllc.com
representing Apex Funding Source, LLC

Robert Chamless Lane
The Lane Law Firm, PLLC
6200 Savoy Dr, Suite 1150
Houston, TX 77036
chip.lane@lanelaw.com
representing ASTRALABS Inc

Ryan Lott
The Lott Firm, PLLC
501 Congress Avenue, Suite 150
Austin, TX 78701
512-809-6951
thelottfirm@gmail.com
representing Athletes to Athletes, Inc.

Paul David Moak
Reed Smith
1221 McKinney Street
Suite 2100
Houston, TX 77010
pmoak@reedsmith.com
representing AFCO Credit Corporation

Jay Ong
Munsch Hardt Kopf & Harr, P.C.
1717 West 6th Street
Suite 250
Austin, TX 78703
jong@munsch.com
representing Randolph N Osherow

Randolph Osherow
342 W Woodlawn, Suite 100
San Antonio, TX 78212
(210) 738-3001
rosherow@hotmail.com
(Trustee)

Ron Satija
Hayward PLLC
7600 Burnet Road, Suite 530
Austin, TX 78757
rsatija@haywardfirm.com
representing Andrew Ryan

John Mark Stern
Texas Attorney General's Office
P. O. Box 12548
Austin, TX 78711-2548
bk-jstern@oag.texas.gov
Texas Comptroller of Public Accounts, Revenue Accounting Division

Eric Terry
Eric Terry Law, PLLC
3511 Broadway
San Antonio, TX 78209
eric@ericterryllaw.com
representing Eric Terry

Shane P. Tobin
903 San Jacinto Blvd.
Room 230
Austin, TX 78701
shane.p.tobin@usdoj.gov
representing United States Trustee - AU12

/s/Stephen W. Sather
Stephen W. Sather